

OFFICIAL

PATENT

Docket No. 235.00210101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): TRAVIS et al.

Group Art Unit: 1652

Serial No.: 10/030,330

Examiner: W. Moore

Confirmation No.: 4105

Filed: October 19, 2001

For: A POLYPEPTIDE HAVING AMIDOLYTIC ACTIVITY FOR A SERPIN

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DECLARATION UNDER 37 C.F.R. §1.131Assistant Commissioner for Patents
Washington D.C. 20231

Dear Sir:

We, James Travis, Jan S. Potempa, and Daniel C. Nelson, declare and say as follows:

1. We are co-inventors of the subject matter claimed in the above-identified U.S. Patent Application Serial No. 10/030,330, filed October 19, 2001, which is a U.S. national stage filing of International Patent Application No. PCT/US00/10574, filed on April, 20, 2000, which in turn claims the benefit of U.S. Provisional Patent Application Serial No. 60/130,436, filed April 21, 1999.

2. One of us, James Travis, is a Research Professor of Biochemistry and Molecular Biology in the Department of Biochemistry and Molecular Biology at the University of Georgia, Athens, Georgia.

3. One of us, Jan S. Potempa, is a Research Faculty member in the Department of Biochemistry and Molecular Biology at the University of Georgia, Athens, Georgia.

4. One of us, Daniel C. Nelson, at the time of the invention, was a graduate student working in the laboratory of Professor James Travis in the Department of Biochemistry and Molecular Biology at the University of Georgia, Athens, Georgia.

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5. We reduced to practice the invention as recited in originally filed claims 1-23 and 25-29 of the above-identified application before December 23, 1998, which is the filing date of U.S. Pat. No. 6,444,799 (Ross).

6. Prior to December 23, 1998, we reduced to practice in the United States, the polypeptides, nucleic acid fragments, methods of identifying an inhibitor, and immunogenic compositions as recited in originally filed claims 1-23 and 25-29 of the above-identified application, which is evidenced, for example, by accompanying Exhibit A (Nelson et al., "Purification and Characterization of a Novel Cysteine Proteinase (Periodontain) from *Porphyromonas gingivalis*," *J. Biological Chem.*, 274:12245-12251 (1999), which was submitted for publication on or before December 11, 1998).

7. On information and belief, the invention as claimed in the above-identified application was reduced to practice prior to the filing date of U.S. Pat. No. 6,444,799 (Ross).

8. We further declare that statements made herein of our knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date

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Date


James Travis

Jan S. Potempa

Daniel C. Nelson

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Jan S. Potempa

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10/20/03

Daniel C. Nelson